

Billings Public Schools Student Truancy Enforcement Information Sheet

Prepared for

The Senate Education and Cultural Resources Committee

Senator Don Ryan, Chairman

1/24/07

LOC145 Introduced by Senator Trudi Schmidt

The Billings Public Schools with a current student enrollment in excess of 15,500 students opened the Truancy Center 7 years ago to help Administrators in the District deal with the overwhelming problem of student truancy. The Truancy Center contracts with the Yellowstone County Sheriff's Office for one its deputy's to serve as a Truancy Officer for the Billings area.

The Billings Truancy Officer conducts home visits to search for missing and absent students, performs truancy sweeps of the local shopping malls and parks, aids local social service agencies in the investigation of suspected physical and sexual abuse and neglect cases, coordinates with other special duty law enforcement personnel including the City County Drug Task Force, the Billings Housing Authority, and Adult and Juvenile Probation and Parole Officers, is responsible for issuing an average of 700 Official Two Day Notifications to Parents of truant students that are in violation of the State Compulsory Education Law, and serves an average of 65 to 75 Arrest Citations a year to parents who refuse to comply with the State Compulsory Attendance Law.

The Truancy Officer receives over 1,800 student attendance related referrals a year. The Officer will conduct over 600 home visits each year. The Officer will arrest and incarcerate an average of 20 adults per year that are in violation of the Compulsory Attendance law and also wanted on Outstanding Arrest Warrants. Student Truancy in the Billings Public Schools is a significant issue that greatly affects not only academic success and graduation rates, but is also viewed as an important indicator of far more serious issues that could be occurring such as physical and sexual abuse and neglect, drug and alcohol abuse, and a wide range of criminal activities.

In Billings, the court of competent jurisdiction for the enforcement of the State Compulsory Attendance Law according to section 20-5-106 MCA has been determined to be Justice Court. Justice of the Peace, Larry Herman and Pedro Hernandez have repeatedly stated their frustration with the current fine of only \$20.00 regardless of the number of violations with no penalties available for the youth. This Bill before the Committee would solve both of the major flaws in the current law. Additionally, it would not change the State's policy direction concerning the Compulsory School Attendance of Montana's children.

Respectfully,


Jeffrey J. Hanser, Director, Billings Public Schools Truancy Center

Attachments: Official Student Attendance Report, Two-Day Notification, Notice To Appear and Complaint, Incident Report #1, Incident Report #2

Detail Student Attendance

Lincoln Center

Dates From 08/23/2006 To 01/19/2007

Student: [REDACTED]

Billings, MT 59101

StuID: [REDACTED]

Grade: 7

Tracks: T 31 06/07, T 33 06/07

Counselor: [REDACTED], Tiffany

Advisor: [REDACTED], Cook

Date	Sch Trk	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
08/20 - 08/26	31 T		...-...- Holiday	EEE-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
08/27 - 09/02	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
09/03 - 09/09	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
09/10 - 09/16	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
09/17 - 09/23	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
09/24 - 09/30	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
10/01 - 10/07	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
10/08 - 10/14	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
10/15 - 10/21	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
10/22 - 10/28	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
10/29 - 11/04	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
11/05 - 11/11	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
11/12 - 11/18	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
11/19 - 11/25	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
11/26 - 12/02	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
12/03 - 12/09	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
12/10 - 12/16	31 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
12/17 - 12/23	33 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
12/31 - 01/06	33 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
01/07 - 01/13	33 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	
01/14 - 01/20	33 T		...-...- Holiday	...-...- III-III-	...-...- III-III-	...-...- III-III-	...-...- III-III-	

Legend and Tally

Count	Attendance Type	Count	Attendance Type	Count	Attendance Type
2	D:Deans	3	S:Suspended (In School)	307	..:Present
52	E:Excused	20	T:Tardy	169	-:Not Scheduled
98	I:Ill	198	U:Unexcused - Truant		
6	L:Truancy Center	379	TOTALS		

**BILLINGS PUBLIC SCHOOLS
TRUANCY CENTER
TWO-DAY NOTICE**

Date		Time		Officer	
Location Pickup					
Student Name					
Address					
Parent Name					
Citation Issued		School			

According to section 20-5-106 (MCA), this is your written notification that:

"If the child is not enrolled and in attendance at a school or excused from school within two (2) days after receipt of this notice, the attendance officer shall file a complaint against such person in a court of competent jurisdiction."

The enforcement called for under this section may include a court ordered fine and or imprisonment in the County Jail.

I acknowledge this Truancy Violation.

Parent Signature

Date

Truancy Center Staff

Date

Court Copy	NOTICE TO APPEAR AND COMPLAINT	Issued By YELLOWSTONE COUNTY SHERIFF'S DEPT.	REPORT # [REDACTED]
<input checked="" type="checkbox"/> STATE OF MONTANA THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN <input checked="" type="checkbox"/> JUSTICE <input type="checkbox"/> CITY <input type="checkbox"/> DISTRICT <input type="checkbox"/> YOUTH <input type="checkbox"/> _____ COURT OF _____ COUNTY OF YELLOWSTONE LOCATED AT 6th Floor Courthouse MONTANA ON OR BEFORE THE 31 DAY OF Jan 07 AT 0915 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. TO ANSWER THIS CHARGE. misdeemeanor Dad's #		DEFENDANT NAME First [REDACTED] Middle [REDACTED] Last [REDACTED] Street [REDACTED] City Billings State MT Zip 59101 Sex M Wt. [REDACTED] Ht. [REDACTED] Date of Birth 07 28 1961 Hair Brn Eyes Blu SSN: [REDACTED] D/L No. None D/L State MT D/L Exp. Year [REDACTED] Home Phone [REDACTED] Employer [REDACTED] Business Phone [REDACTED]	
		THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING <input checked="" type="checkbox"/> MONTANA CODE <input type="checkbox"/> CITY CODE <input type="checkbox"/> COUNTY ORDINANCE <input type="checkbox"/> _____ Section # 20-5-106 On the 13th day of December , 2006 at 0830 hours	
In Yellowstone County, Montana said defendant did knowingly or purposely or negligently committed the offense of Truancy to wit: The defendant allowed his thirteen-year-old son to be truant after acknowledging & signing a Two Day Truancy Notice.			

Affidavit of Probable Cause/Warrant Arrest

On **10/24/06** at approximately **1150 hours**, the defendant acknowledged & signed a **Two Day Truancy Notice**. His son had been absent **19 days**. Since this date, he has missed **16 days**, all listed as truant.

Namely at (location) **[REDACTED] Billings, MT 59102**
 Yellowstone County, **[REDACTED]**

Signature of Deputy **[Signature]** Badge Number **3-68**

Subscribed and sworn to before me this _____ day of _____

Judge or Notary Public/Approved by/Date _____

☐ BA Test Given
☐ Accident
 Radar Unit No. _____

**Sheriff's Office
Yellowstone County—Billings, Montana**

Nature of Incident: Truancy
Date: 12-13-06

Case #: 000000000
Deputy: T. Skillen

On 12/13/06 at approximately 0830 hours, I was working as the School District 2 Truancy Officer. I was notified by Truancy Center staff that **Gregory "Stink" Letz** (DOB: 1/19/93 **[REDACTED]** Billings, MT 59101 HPX: **252-4840**) had been truant from Lewis and Clark Middle School. He was supposed to transfer to Riverside Middle School, but he has not checked in there or been in attendance at Lewis and Clark. According to the school's records, **Letz** had been truant 11/27/06 through today's date.

[REDACTED], the father of this student (DOB: / / nfi), acknowledged and signed a Two-Day Truancy Notice on 10/24/06 at approximately 1150 hours. At that point, his son had missed 19 days. These days are all marked as ill or excused, but there is no written documentation to confirm illness or other legitimate absence. Since this Notice, **[REDACTED]** has been truant an additional sixteen days.

I attempted to cite **Gregory Letz** for Truancy (MCA 20-5-106). His address was listed as **401 4th Street #9 (The Point)**. No one would come to the door on any of my repeated attempts to contact this family. **[REDACTED]**, the student's mother, does live at this address. I have not been able to make contact with her at any time during my work with the Truancy Center. Letz has had problems with truancy for at least the past two years. She will not return calls to the school, to me, or to the Truancy Center. I tried to contact **[REDACTED]** at **[REDACTED]**. This is apparently **[REDACTED]**'s mother's address. She has not heard from them in over a month. **Letz** has also lived in **[REDACTED]** at **[REDACTED]**. I do not believe he lives there now.

I placed an ATL on **[REDACTED]** and **[REDACTED]** and on **Kennegieser**. The citation and a Two-Day Notice intended for **Kennegieser** are in the incomplete drawer at the Sheriff's Office.

Tanna L. Skillen
Deputy, YCSO

**Sheriff's Office
Yellowstone County—Billings, Montana**

Nature of Incident: Truancy

Date: 01-19-07

Case #: [REDACTED]

Deputy: T. Skillen

On today's date at approximately 1115 hours, I made contact with [REDACTED] " [REDACTED]" [REDACTED] # [REDACTED]. He was cited for Truancy (MCA 20-5-106) due to his son missing 35 days of school, all unexcused. Since the date of the citation, 12/13/06, his son has continued to miss school. He has only been in school 43 days out of the 94 days so far this year. Not all of those days were even full days.

It is unclear who actually has custody of this child, neither his father nor his mother, [REDACTED] Kennegioser, seem to want to claim they have custody. Today is the first time I have met [REDACTED], even though I have been attempting to contact her off and on for the last two years due to her son's truancy issues. She was given a Two-Day Notice today and advised of state law. Both parties willingly signed this document taking responsibility for their son's education. Both parties know they may be cited in the future if this lack of attendance continues.

Tanna L. Skillen
Deputy, YCSO